Previous references.
Secs a & b of this file.

File No.
88 of 03-04

1904

(S & A)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. c-d and 1 & 2

PART B FOR July

SUBJECT.

Declining to grant enhanced pension to Mr B. Venkatachar, retired Munsiff of Hassan

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1 & 2 c-d see below	FILE No. 88 of 03-04.
	Grant of ~~enhanced~~ Pension prayed for by Mr. B. Venkatachar, retired Munsiff of Hassan.
1	From Comptroller, No. 6245—P. & A. 794, dated 28th April 1904. Returns petition of Mr. Venkatachar praying for enhanced pension, stating that the order quoted by petitioner is not applicable to his case.
2	To Mr. B. Venkatachar, retired Munsiff of Hassan, No. Fl. 578—S. & A. 80-03, dated 29th July 1904. Informs that Government regret that his request cannot be complied with as it is not in accordance with the rules on the subject.

G. R. S. 58.

Petition 4th the 2.3.04 from Mr B Venkatachar retired Munsiff prays that either the period of 4 months and 26 days be ~~reduced~~ Rs 250/- be calculated as on Rs 300 so as to entitle him for full pension

on the new rule that in case of Munsiffs on Rs 300 and 300/- the ~~period~~ average for pension should be calculated on their pay for the past 3 years be also extended to his case.

[illegible] of A.G. dt. 18.4.64

To the Comptroller

Forwards the above to the Comptroller for [illegible]

Mysore Government
General & Revenue Secretariat.

File No. (if any)

Directions.—

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch P & A.

Subject. Enhanced pension Mr B. Venkatachar retired of Hassan.

—

Letter No. 6245 P&A 794 d: 28 1904 from the Comptroller to Govt of Mysore

—

Mr. B. Venkatachar in the last five years of his se drawing pay as follows:—

For. yr. 0 — m. 4 — d. 26 —— Rs 250/.

For 4 — 7 — 5 ——— Rs 300/.

Accordingly the pension cal on the average emoluments last five years of his Serv amounted to Rs 147-15-8 was sanctioned to him v Govt Pro: No. P&A 156/7 o Now Mr B. Venkatachar that either

(1) in consideration of Service, the period of which falls short make up five year be made good

or

× Flag A.

⊗ Flag B

× 37 years

(2) his pension may be calculate
on the average emoluments of
last three years of his Servic

and that he be granted a pen
of Rs 150/ per mensem.

There is no provision in the Mys
Service Regulations in support of No
Art: 275(A) which treats of defe
Seems to apply to deficiencies in
total qualifying Service and not
deficiencies in the period requir
calculating the average emol
to determine the amount of
Mr Venkatachar bases his clai
No 2., on Govt Prov: No J 12/12-13
*Flag C. 12th Feby 1903. in which it is
that Munsiffs in the first c
on Rs 350/ and those in the 2
on Rs 300/ are ranked as grade
along with Asst Commissi
and Subordinate Judges. He argu
as the latter officers are gran
pensions calculated on the
emoluments of the last t
years of Service, he should al
similarly been granted a pe
calculated on the last th
years' average, which am
to Rs 150/. The Comptroller's o

× Flag D

was invited on the point. He says that mere ranking of the Municipl with the Asst commissioners and Sub-judges is not sufficient but the Municipl should have also been admitted to the list given in Appendix A of the Regulations and that they would then only have been entitled to the benefit of the three years' average. Subd for orders as to whether Dr Venkatachar may be informed that his request cannot be complied with. It is however a point for consideration whether having regard to the fact that the 3 years rule is now applicable to all Officers of the State, Dr Venkatachar who, under Govt Pro: No J 1212-13 of 12th July 1903, was, ranked as Graded Offr along with Assistant Commissioners, may not be admitted to the list given in appendix A of the Mysore Service Regulations thereby entitling him to the difference of Rs 2—0—4 per mensem which he now claims.

× Flag C.

JD
9/5/04

Is the 3 years rule made applicable to all Officers of the State as stated by the Asst Secty? Under what order please?

Putup. encl 9/5/04

9/5

Subd.

Yes. It is made applicable to all officers retired subsequent to 3rd March 1904. The file containing the order is now before the Secretary in connection with the Comptroller's letter No. 5549 d: 31st March 1904 requesting sanction to the grant of a lump sum bonus of Rs 150/- for distribution among the officials of his office who will be employed out of office hours on the preparation of a revised edition of the Mysore Service Regulations.

DB
10/5/04

Kindly have the order now printed: also, please put up Subd's & their Subs.
DB
10/5/04

Subd. It is not printed
DB

It had better be printed, being an order of general application
13/5/04

A typed copy of the Order is put up

DB
10/5/04

It is clearly laid down in the Order sanctioning the 3 years average in the calculation of pensions, that retrospective effect will not be given to the Order.

The making good of a service of 4 months and 26 days on the higher pay of Rs. 300/- is not provided for by the Regulations.

So it is not possible to help Mr Venkatachar in either of the above ways.

Mr Venkatachar relies upon the Govt Order dated 12th Feby 1903 which directs that Munsiffs of the 1st & 2nd classes should be ranked with Asst Comrs & Sub Judges

5A

Effect was given to that Order from the 9th January 1903, and on that very date Mr Venkatachar was retired.

This is a hard case, but the rules are against the Petitioner

18/6/04

Submitted to the Dewan through the Dy Chief

20/6/1904

Perhaps it may be desirous to grant this Officer's request under article 480 of the H.S. Regulations

20/6/1904

18482
21.6.04.

443

But we have to do our duty under recognised rules & principles - Request cannot be complied with. Calculation not made under rules.

20.VII.04

Draft II
Draft orders accepted

21.7.1904

22/7/04

Draft replies to Petitioners submitted by Mr Devy

22/7/04

22/7

Draft approved

22.7.1904

Serial C PA-1290

Sent after receiving b.P.A (9a) V.R.S 4/3/04

References put up 7/4

2/3 Please put up this memorial to be laid before the Council on the 10th inst.

Dr 2/4/04

To the Asst: Secretary for kind compliance.

Read 4.45 pm 5/4/04

No such memorial has been received in this Br. A copy of G.O. 1212-13, fixing the classification of Subordinate Judges and Munsiffs in the State has been put up.

6/4/04

MYSORE GOVT. GENERAL SECRETARIAT RECEIVED 14 MAR 1904

No. 2026

Name of Petitioner: Mr B. Venkatachar

Late Munsiff

Village: Mysore

Taluk:

District:

Date of Arzi: 2/3/04

Date of Receipt: 4.3.04

Date of Disposal:

No. of Enclosure: Nil.

ABSTRACT

Represents that the usual calculation of his Salary for 5 years immediately preceding his retirement to have been made by the Comptroller without considering Govt order of grading 1st & 2nd Class Munsiffs as Assistant Comrs who are entitled to a pension on calculation of their 3 years Salary before their retirement and that a pension of Rs 47-8-0 was sanctioned instead of Rs

MGCPB—5,000—10-11-02

150/0/-

Perhaps that he may be conceded
the concession of only 5 months
+26 days service to complete
5 years as CB grade Munsiff,
that full amount of pension on 150/0/
be granted and that the
Comptroller be directed
to calculate the pension as
in the case of assistant
Comrs who are entitled
to pension calculated
on 3 years salary before
their retirement.

WH
14/3/04

Serial 2

Reg'd No 2028 R
Date 4—3— 1904

To

The General Secretary
Government of India

2028

The humble Petition of B. Nagarajan
alias Munuswamy Naidu
Most Respectfully Showeth,

That your Petitioner was Principal Munsiff of Mysore. He was transferred to Tiruvannamalai which he had been to hope that he had the held on in Tiruvannamalai for another year or so, as was the case with several others of his grade & long have had more concession after they have 55 yrs old. No such concession was allowed in the case of your Petitioner. He was ordered to retire a few months after his transfer to Tiruvannamalai. Your Petr served Govt for over 27 yrs, of which, however, he was on the judicial Dept for over 20 yrs. He was a Munsiff for over 18 years. At the time of his retirement he was just in 4 yrs 7 months & odd years old & was

Price

Police Magistrate. He was Gazetted on the 9th January 1865 for a small Concession of 4 months & 26 days, that is, upto the end of the 5th year but leave subsidiary pay Rs. 6 the last pension Rs. 150/- His Lordship's memorial for this Concession had been supported by the Chief Court (Vide Regd. No. 4165/182 of the 20th January 65 & the Dist. Judge). But that Memorial does not seem to have been placed along with the Petition for consideration of Govt. in the final consideration of the Salary for 5 yrs. & annual calculation of the salary for 5 yrs. & pensionable service, praying for Extraordinary allowance & pension were made & a pension of Rs 147-15-8 was recommended by the Govt. Lieutenant Governor, & the same was sanctioned by Govt. apparently without reference to the Recommendation by the Chief Court. The Comptroller did not take into consideration the Govt. Order granting Rs. 6 Class Pension as Assistant Commr.

who are entitled to a pension on calculation of their
3 yrs salary after their retirement. This order
of Govt was never forwarded to Petitioner as he
retired on the 9th January 1903. If this
Govt had been advised to fix the calculation of
yrs Petr's pension, he would have had a pension
of Rs 150/ after nearly 4 years service
service.

Wm Trimble Petr: Respectfully submits
to the gracious consideration of the Govt
as follows

That in consideration of the heavy loss he
will sustain in consequence of his retirement
soon after his transfer from Mysore to Assam,
which had led him to hope for further retention
in service, he may be conceded the concession
of only 5 months + 26 days service to complete
5 yrs as the first grade pension of to grant the same
instead of pension Rs 150/, which now falls short
in Rs 2-4-8, or

That the Comptroller may be ordered to
calculate the pension as in the case of assts
Comptroller
Govt under Govt order governing the subject

Council
Law and Justice Committee to
Examine and Report on the Petition
of Inhabitants of Nos 5, 7, 9 & 11 Lennox Street.

Your Petitioners will ever pray.

Roanoke
2nd March 1904

Law Municipal Council Harbour

Serial No 5

MYSORE GOVERNMENT.

General & Revenue Secretariat

No. P/422/66 dated 15/4/04

E3

OFFICIAL MEMORANDUM.

The accompanying ~~~ Petition Registered No. 2028R dated 4th March 04 received at the Mysore Government, General & Revenue Secretariat, from Mr B. Venkatachar late Mun. -siff of Hassan, com -plaining that he should have been granted a ~~ pension calculated on the average emoluments of the last three years of his service

is forwarded, ~~together with its enclosure~~ to the Comptroller to the Govt of Mysore for a very early report.

2. The pension applica -tion of the petitioner together with its enclosures is ~~ forwarded to the Comptroller for report and obliging return.

By Order,

15/4/04

13/4/04 Secretary.

Bangalore,

13/4/04

MGCPB—1000—18-8-03

6

(1)

Law DEPARTMENT.

1904

From H. Eagles Esqr
THE COMPTROLLER,
MYSORE GOVT.

To L. Ananthanarayana Rao Esqr
THE SECY. TO GOVT. OF MYSORE,
Jail & Police Dept.s

Dated

Despatched April.

Received

No.

No.

SUBJECT MATTER

Returning Petition of Mr B. Venkatachar dated Bangalore 7th March. Stating that the order passed by the Petitioner is not applicable to his case

PA - 1596

7
IV
Dec 3014

Special Audit DEPARTMENT. Pension

OFFICE OF THE

COMPTROLLER, GOVT. OF MYSORE,

BANGALORE, 28th April 1904.

From Henry Eagles Esquire,
Off'g: Comptroller

~~COMPTROLLER, GOVT. OF MYSORE.~~

To L. Anantaramayya Rao Esq: B.A.
~~THE~~ SECRETARY TO THE GOVT. OF MYSORE,
Gen'l
General and Revenue Dept.

SIR,

In returning herewith the petition of Mr: B. Venkatachar retired Munsiff of Hassan and the reported application for pension on his behalf received with your official memorandum - No: 2266 dy 18th instant, I have the honor to state that although the order quoted by the petitioner ranks Munsiffs of his class as graded Officers with Assistant Commissioners and Sub Judges, the order by itself cannot give Munsiffs of the 1st and 2nd

1st and 2nd classes the benefit of having their pensions calculated on the average emoluments of the last three years of Service, for this privilege under the old rules had only been conceded to Officers belonging to the Mysore Civil Service of which the Munsiffs do not form members. Therefore such of these Officers as have retired before 3rd March 08 can get the benefit of Art: 330 A only by their admission to the list given in Appendix A of the Mysore Service Regulations. Assistant Commissioners and Sub Judges with whom Munsiffs of the first two classes are now ranked have been allowed the concession by being brought on the list and regarded as belonging to the Mysore Civil Service.

I have the honor to be
Sir
your most obedient Servant
M Eagles
Offg: Comptroller

No. H. 578 (2) / SHA 88-03 dated 29th July 1904

Mysore Government,
General and Revenue Secretariat

No. To B. Venkatachar Esq.
Sir Retired Inspector

~~Endorsement granted to Mr. B. Venkatachar late Inspector of Hassan, Mysore.~~ In reply to ~~your~~ petition registered no. 2028.R. dated the 2nd March 1904, requesting that ~~a~~ full pension of Rs. 150/- per mensem may be granted to ~~him~~ Your instead of Rs. 147-15-8 already ~~granted to him~~ sanctioned,

I am directed to ~~Petitioner is~~ inform you that the Government of H. H. the ~~Maha~~ Maharaja of Mysore regret that ~~his~~ your request cannot be complied with as it is not in accordance with the ~~recognised~~ rules ~~and~~ on ~~principles~~ the subject.

I have &c
~~By Order~~
22.7.1904
Offg Secretary.

H.C. 23/7

Recd 22/7/04